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(including for example glycol and glycerol); decanoates of alcohols (including for example glycol and glycerol); and ricinoleates of alcohols (including for example cetyl ricinoleate). — —

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### In the Claims

Please amend claims 1, 9, 20 and 32 and add new claims 59-61, as set out below.

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In accordance with 37 CFR 121 (c), a clean version of the entire set of pending claims is set out below. In this version, the amended claims are without markings to indicate the changes made, and a parenthetical expression follows each claim number indicating the status of the claim as amended, unchanged or new. Attached hereto is a

15 separate paper entitled

"Version of Amended Claims with Markings to show Changes requested by the accompanying Reply, filed in accordance with 37 CFR 1.121 (c) (1) (ii)"

That separate paper sets out each of the rewritten claims, marked up to show all the changes relative to the previous version of the claim.

1. (Amended)

A thickened oil cosmetic composition which comprises

- (1) an oil, and
- (2) uniformly dispersed in the oil as a crystallized solid, a side chain crystalline (SCC) polymer which has a crystalline melting point  $T_p$  and which

- (a) is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups; and

- (b) is present in amount such that it thickens the oil;

the composition being at a temperature

- (i) which is below  $T_p$ , and
- (ii) at which the composition, in the absence of the polymer, is liquid.

2. (Unchanged) A composition according to Claim 1, which is at a temperature  $T_s$ , where  $T_s$  is from 15 to 25 °C, and wherein the SCC polymer has a crystalline melting point,  $T_p$ , which is 10 to 30 °C above  $T_s$ .

3. (Unchanged) A composition according to Claim 2 wherein  $T_p$  is 40 to 50 °C.

4. (Unchanged) A composition according to Claim 2 wherein  $T_p$  is 43 to 48 °C.

5. (Unchanged) A composition according to Claim 3 wherein the SCC polymer has a heat of fusion of at least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.

6. (Unchanged) A thickened oil composition which comprises

- (1) an oil, and
- (2) uniformly dispersed in the oil as a crystallized solid, a side chain crystalline (SCC) polymer which

(a) is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups; and

5 (b) contains 10-30% by weight of repeating units containing hydroxyl groups.

7. (Unchanged) A thickened oil composition which comprises

(1) an oil, and

10 (2) uniformly dispersed in the oil as a crystallized solid, a side chain crystalline (SCC) polymer which

(a) has a crystalline melting point,  $T_p$ , of 40-50 °C.;

(b) consists essentially of

15 (i) 70-99% by weight of repeating units derived from at least one n-alkyl acrylate or methacrylate ester in which the n-alkyl group contains 16 to 22 carbon atoms,

(ii) 1-30% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group containing less than 12 carbon atoms, and

20 (iii) 0-30% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains an unsubstituted alkyl group containing less than 16 carbon atoms.

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Claim 8 was previously canceled.

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9. (Amended) A thickened oil cosmetic composition which comprises

(1) an oil, and

(2) dispersed in the oil, a polymer which

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- (a) has a crystalline melting point,  $T_p$ , and an onset of melting temperature,  $T_o$ , such that  $T_p - T_o$  is less than  $T_p^{0.7}$ ;
- (b) is soluble in the oil at temperatures above  $T_p$ ,
- (c) has been dispersed in the oil by a process which comprises
- (i) dissolving the polymer in the oil at a temperature above  $T_p$ , and
- (ii) cooling the solution to crystallize the polymer in the oil,
- (d) is a side chain crystalline (SCC) polymer which is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups; and
- (e) is present in amount such that it thickens the oil;

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the composition being at a temperature  $T_s$

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- (i) which is below  $T_p$ , and
- (ii) at which the composition, in the absence of the polymer, is liquid.

10. (Unchanged) A composition according to Claim 9 wherein  $T_s$  is from 15 to 25 °C and  $T_p$  is 10 to 30 °C above  $T_s$ .

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11. (Unchanged) A composition according to Claim 9 wherein  $T_p$  is 40 to 50 °C.

12. (Unchanged) A composition according to Claim 9 wherein the SCC polymer has a heat of fusion of the least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.

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13. (Unchanged) A thickened oil composition which comprises

- (1) an oil, and
- (2) uniformly dispersed in the oil as a crystallized solid, an SCC polymer which

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- (a) consists essentially of

(i) 70-99% by weight of repeating units derived from at least one n-alkyl acrylate or methacrylate ester in which the n-alkyl group contains 16 to 22 carbon atoms,

(ii) 1-30% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group containing less than 12 carbon atoms, and

(iii) 0-29% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains an unsubstituted alkyl group containing less than 16 carbon atoms; and

(b) is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups.

14. (Unchanged) A composition according to Claim 13 wherein the SCC polymer contains 10-30% by weight of the repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group containing less than 12 carbon atoms.

15. (Unchanged) A thickened oil composition which is at a temperature  $T_s$  of 15 to 25 °C, and which comprises

(1) an oil, and

(2) a side chain crystalline (SCC) polymer which

(a) is uniformly dispersed in the oil as a crystallized solid

(b) has a crystalline melting point,  $T_p$ , of 43 to 48 °C, and

(c) consists essentially of

(i) 70-99% by weight of repeating units derived from at least one n-alkyl acrylate or methacrylate ester in which the n-alkyl group contains 16 to 22 carbon atoms,

(ii) 1-30% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group containing less than 12 carbon atoms, and

5 (iii) 0-29% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains an unsubstituted alkyl group containing less than 16 carbon atoms.

16. (Unchanged) A composition according to Claim 15 wherein the SCC polymer  
10 contains 15-25 percent by weight of the repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group.

17. (Unchanged) A composition according to Claim 15 wherein the SCC polymer  
15 consists essentially of

(i) 70-99% by weight of the repeating units derived from at least one n-alkyl acrylate or methacrylate ester in which the n-alkyl group contains 16 to 22 carbon atoms, and

(ii) 1-30% by weight of the repeating units derived from at least one acrylate  
20 or methacrylate ester in which the ester group contains a hydroxyethyl, hydroxypropyl, or hydroxybutyl group.

18. (Unchanged) A composition according to Claim 17 wherein the SCC polymer  
25 contains 15-25 percent by weight of the repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains a hydroxyl-substituted alkyl group.

19. (Unchanged) A composition according to Claim 15 which contains less than 1%  
30 by weight of surface active agents, based on weight of the oil.

20. (Amended) A method of making a thickened oil cosmetic composition comprising an oil and, dispersed in the oil, a side chain crystalline (SCC) polymer which

(a) has a crystalline melting point,  $T_p$ , and an onset of melting temperature,  $T_o$ , such that  $T_p - T_o$  is less than  $T_p^{0.7}$ , and

(b) is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups;

the method comprising

(i) dissolving the SCC polymer in the oil at a temperature above  $T_p$ , and

(ii) cooling the solution to crystallize the polymer in the oil;

the amount of the SCC polymer being such that, after step (ii), it thickens the oil, and the temperature at the end of step (ii) being a temperature which is below  $T_p$ , and at which the composition, in the absence of the polymer, is liquid.

21. (Unchanged) A thickened oil composition which is free of water and which comprises

(1) an oil, and

(2) uniformly dispersed in the oil as a crystallized solid, at least 2% by weight, based on the weight of the oil, of a side chain crystalline (SCC) polymer which is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups.

22. (Unchanged) A composition according to Claim 21, which is at a temperature  $T_s$ , where  $T_s$  is from 15 to 25 °C, and wherein the SCC polymer has a crystalline melting point,  $T_p$ , which is 10 to 30 °C above  $T_s$ .

23. (Unchanged) A composition according to Claim 22 wherein  $T_p$  is 40 to 50 °C.

24. (Unchanged) A composition according to Claim 22 wherein  $T_p$  is 43 to 48 °C.

25. (Unchanged) A composition according to Claim 23 wherein the SCC polymer has a heat of fusion of at least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.
- 5 26. (Unchanged) A composition which is a water-in-oil emulsion or an oil-in-water emulsion and which comprises
- (1) water,
  - (2) an oil, and
  - (3) uniformly dispersed in the oil as a crystallized solid, a side chain
- 10 crystalline (SCC) polymer which is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups.
- 15 27. (Unchanged) A composition according to Claim 26, which is at a temperature  $T_s$ , where  $T_s$  is from 15 to 25 °C, and wherein the SCC polymer has a crystalline melting point,  $T_p$ , which is 10 to 30 °C above  $T_s$ .
- 20 28. (Unchanged) A composition according to Claim 26 wherein  $T_p$  is 40 to 50 °C.
29. (Unchanged) A composition according to Claim 26 which is an oil-in-water emulsion and which contains less than 1% by weight of surface active agents, based on the weight of the oil.
- 25 30. (Unchanged) A thickened oil composition according to Claim 26 wherein the SCC polymer has a heat of fusion of at least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.
- 30 31. (Unchanged) A composition according to Claim 26 which contains at least 0.5% by weight of the SCC polymer, based on the weight of the composition.



32. (Amended) A thickened oil composition which comprises

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- 5 (1) an oil selected from selected from the group consisting of hydrogenated polyisobutylene; triglycerides; purcellin oil; isopropyl myristate; butyl myristate; cetyl myristate; isopropyl palmitate; butyl palmitate; ethyl-2-hexyl palmitate; isopropyl stearate; butyl stearate; octyl hexadecyl stearate; isocetyl stearate; decyl oleate; hexyl laurate; propylene glycol dicaprylate, diisopropyl adipate; animal oils; silicone oils; oleyl alcohol; linoleyl alcohol; linolenyl alcohol; isostearyl alcohol; octyl dodecanol; esters derived from lanolic acid; and acetyl glycerides; and
- 10 (2) uniformly dispersed in the oil as a crystallized solid, a side chain crystalline (SCC) polymer which is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups.

15 33. (Unchanged) A composition according to Claim 32, which is at a temperature  $T_s$ , where  $T_s$  is from 15 to 25 °C, and wherein the SCC polymer has a crystalline melting point,  $T_p$ , which is 10 to 30 °C above  $T_s$ .

20 34. (Unchanged) A composition according to Claim 32 wherein  $T_p$  is 40 to 50 °C.

35. (Unchanged) A composition according to Claim 32 wherein  $T_p$  is 43 to 48 °C.

25 36. (Unchanged) A composition according to Claim 32 wherein the SCC polymer has a heat of fusion of at least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.

37. (Unchanged) A composition according to Claim 1 wherein each of the following conditions is fulfilled by the SCC polymer:

30 (1) at most 1% of the carbon atoms are substituted by one or more fluorine atoms;

- (2) at most 0.2 mol% of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) at most 0.5% by weight of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- 5 (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) at most 1 mol% of the repeating units are derived from acrylamide
- (6) at most 0.2 mol% of the repeating units are derived from N-vinylpyrrolidone;
- (7) at most 0.2 mol% of the repeating units are derived from N-vinylimidazole.

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38. (Unchanged) A composition according to Claim 1 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) none of the carbon atoms are substituted by one or more fluorine atoms;
- (2) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- 15 (3) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) none of the repeating units are derived from acrylamide;
- 20 (6) none of the repeating units are derived from N-vinylpyrrolidone;
- (7) none of the repeating units are derived from N-vinylimidazole.

39. (Unchanged) A composition according to Claim 21 wherein each of the following conditions is fulfilled by the SCC polymer:

- 25 (1) at most 1% of the carbon atoms are substituted by one or more fluorine atoms;
- (2) at most 0.2 mol% of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) at most 0.5% by weight of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- 30 (4) the polymer has an acidity of less than 0.07 meq/g;

- (5) at most 1 mol% of the repeating units are derived from acrylamide
- (7) at most 0.2 mol% of the repeating units are derived from N-vinylpyrrolidone;
- (7) at most 0.2 mol% of the repeating units are derived from N-vinylimidazole.

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40. (Unchanged) A composition according to Claim 21 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) none of the carbon atoms are substituted by one or more fluorine atoms;
- (2) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) none of the repeating units are derived from acrylamide;
- (6) none of the repeating units are derived from N-vinylpyrrolidone;
- (7) none of the repeating units are derived from N-vinylimidazole.

41. (Unchanged) A composition according to Claim 26 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) at most 1% of the carbon atoms are substituted by one or more fluorine atoms;
- (2) at most 0.2 mol% of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) at most 0.5% by weight of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) at most 1 mol% of the repeating units are derived from acrylamide
- (8) at most 0.2 mol% of the repeating units are derived from N-vinylpyrrolidone;
- (7) at most 0.2 mol% of the repeating units are derived from N-vinylimidazole.

42. (Unchanged) A composition according to Claim 26 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) none of the carbon atoms are substituted by one or more fluorine atoms;
- (2) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) none of the repeating units are derived from acrylamide;
- (6) none of the repeating units are derived from N-vinylpyrrolidone;
- (7) none of the repeating units are derived from N-vinylimidazole.

43. (Unchanged) A composition according to Claim 32 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) at most 1% of the carbon atoms are substituted by one or more fluorine atoms;
- (2) at most 0.2 mol% of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (3) at most 0.5% by weight of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) at most 1 mol% of the repeating units are derived from acrylamide
- (9) at most 0.2 mol% of the repeating units are derived from N-vinylpyrrolidone;
- (7) at most 0.2 mol% of the repeating units are derived from N-vinylimidazole.

44. (Unchanged) A composition according to Claim 32 wherein each of the following conditions is fulfilled by the SCC polymer:

- (1) none of the carbon atoms are substituted by one or more fluorine atoms;
- (2) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;

- (3) none of the repeating units contain a carboxyl group, a carboxyl salt group, a sulfonic acid group, or a sulfonic acid salt group;
- (4) the polymer has an acidity of less than 0.07 meq/g;
- (5) none of the repeating units are derived from acrylamide;
- 5 (6) none of the repeating units are derived from N-vinylpyrrolidone;
- (7) none of the repeating units are derived from N-vinylimidazole.

45. (Unchanged) A thickened oil composition which comprises

- (1) an oil, and
- 10 (2) uniformly dispersed in the oil as a crystallized solid, a side chain crystalline (SCC) polymer which consists essentially of
  - (i) 70-99% by weight of repeating units derived from at least one n-alkyl acrylate or methacrylate ester in which the n-alkyl group contains 16 to 50 carbon atoms,
  - 15 (ii) 1-30% by weight of repeating units derived from hydroxyethyl acrylate, and
  - (iii) 0-29% by weight of repeating units derived from at least one acrylate or methacrylate ester in which the ester group contains an unsubstituted alkyl group containing less than 16 carbon atoms.

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46. (Unchanged) A composition according to Claim 45 wherein the SCC polymer contains 15-25% by weight of the repeating units derived from hydroxyethyl acrylate.

47. (Unchanged) A thickened oil composition which is free of water and which  
25 comprises

- (1) an oil, and
- (2) uniformly dispersed in the oil as a crystallized solid, 2 to 10% by weight, based on the weight of the oil, of a side chain crystalline (SCC) polymer which is substantially free of fluorine atoms, carboxylic acid groups, carboxylic acid salt groups, sulfonic acid groups, sulfonic acid salt groups, amido groups, pyrrolidino groups and imidazole groups.
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48. (Unchanged) A composition according to Claim 47, which is at a temperature  $T_s$ , where  $T_s$  is from 15 to 25 °C, and wherein the SCC polymer has a crystalline melting point,  $T_p$ , which is 10 to 30 °C above  $T_s$ .

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49. (Unchanged) A composition according to Claim 48 wherein  $T_p$  is 40 to 50 °C.

50. (Unchanged) A composition according to Claim 49 wherein  $T_p$  is 43 to 48 °C.

10 51. (Unchanged) A composition according to Claim 49 wherein the SCC polymer has a heat of fusion of at least 20 J/g, and an onset-of-melting point  $T_o$  such that  $T_p - T_o$  is less than 10 °C.

15 52. (Unchanged) A composition according to Claim 1 which is free of water and which contains 2 to 7%, by weight, based on the weight of the oil, of the SCC polymer.

53. (Unchanged) A composition according to Claim 1 which is a water-in-oil emulsion and which contains 0.5 to 5% by weight of the SCC polymer.

20 54. (Unchanged) A composition according to Claim 9 which is free of water and which contains 2 to 7%, by weight, based on the weight of the oil, of the SCC polymer.

55. (Unchanged) A composition according to Claim 9 which is a water-in-oil emulsion and which contains 0.5 to 5% by weight of the SCC polymer.

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56. (Unchanged) A method according to Claim 20 wherein the thickened oil composition is free of water and the amount of the SCC polymer is such that, after step (ii), the composition contains 2 to 7%, by weight, based on the weight of the oil, of the SCC polymer.

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57. (Unchanged) A composition according to Claim 21 which contains 2 to 7%, by weight, based on the weight of the oil, of the SCC polymer.

58. (Unchanged) A composition according to Claim 26 which contains 0.5 to 5% by weight of the SCC polymer.

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59. (New) A composition according to Claim 20 wherein the oil is a vegetable oil.

60. (New) A composition according to Claim 20 wherein the oil is selected from the group consisting of sunflower seed oil, sesame seed oil, rape seed oil, sweet almond oil; calphyllum oil, palm oil, avocado oil, jojoba oil, olive oil, castor oil, and grain germ oils.

61. (New) A composition according to Claim 20 wherein the oil is selected from perhydrosqualene, dimethyl polysiloxane, phenyl dimethicones, isopropyl lanolate, isocetyl lanolate, octanoates of glycol, octanoates of glycerol, decanoates of glycol, decanoates of glycerol, and cetyl ricinoleate.

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